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EXAMINER

SAEED, USMAAN

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2166

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/674,422	HILBERT ET AL.	
	Examiner	Art Unit	
	Usmaan Saeed	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-38 are pending in this office action.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 22-35 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an environment or machine which would result in a practical application producing a concrete useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claims 22-35 are rejected because they refer to a system but this system does not have any type of hardware i.e. memory or a processor for any functionality to be realized. As such, it is believed that the system of these claims is directed to non-statutory subject matter.

To expedite a complete examination of the instant application the claims rejected under U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of application amending these claims to place them within the four categories of invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by **Othmer et al. (Othmer hereinafter)** (U.S. PG PUB No. 2004/0064317).

With respect to claim 1, **Othmer** teaches a **method for retrieving contact information based on a user's context, comprising:**

“monitoring the user's context to identify contact-related portions of the user's context” as a requester profile having information corresponding to a requestor's transcription preferences as well as contact and billing information is accessible by the transcription server 120 and stored on database 110 (**Othmer Paragraph 0043**). The request may be transmitted by anyone and includes audio data transmitted from an audio source (**Othmer Paragraph 0024**). Examiner interprets contact and billing information as contact related portion and requestor profile and the audio data as user's context.

“analyzing the identified contact-related portions” as the request may be transmitted by anyone and includes audio data transmitted from an audio source. The request is analyzed and processed by the transcription server (**Othmer** Paragraph 0024). In one embodiment, a requester profile having information corresponding to a requestor's transcription preferences as well as contact and billing information is accessible by the transcription server 120 and stored on database 110 (**Othmer** Paragraph 0043).

“retrieving zero, one or more contact information elements from a database based on the analyzed contact-related portions” as the identifying information may be used to retrieve information regarding the requestor's billing, contact, and transcription request information stored in database 110 (**Othmer** Paragraph 0040). The called-out information may include common data types such as date and time information, contact information such as name, email, or phone number, or other information. In one embodiment, the called-out information is populated into a user interface and presented to the user together with the transcription (**Othmer** Paragraph 0087).

With respect to claim 2, **Othmer** teaches **“the method of claim 1, further comprising unobtrusively outputting at least one retrieved contact element”** as the identifying information may be used to retrieve information regarding the requestor's billing, contact, and transcription request information stored in database 110 (**Othmer** Paragraph 0040). The called-out information may include common data types such as

Art Unit: 2166

date and time information, contact information such as name, email, or phone number, or other information. In one embodiment, the called-out information is populated into a user interface and presented to the user together with the transcription (**Othmer** Paragraph 0087). Examiner interprets called-out information as outputted information.

With respect to claim 3, **Othmer** teaches **“the method of claim 1, wherein monitoring the user's context to identify contact-related portions of the user's context comprises: converting the user's context to a plurality of searchable representation elements, each representing a potential contact-related portion; and determining, for each searchable representation, if that searchable representation element is a contact-related portion”** as automated speech recognition pre-process system 251 handles word recognition or word spotting tasks. Word recognition can be used to filter out key words. For example, speech recognition techniques can be used to recognize a series of digits that may represent phone numbers, or key words such as days or months and the words around them that may resemble an important date or meeting time. Word spotting may be used to search for key words at any location in an audio file, or at a predetermined location, such as the last twenty seconds (**Othmer** Paragraph 0032). Examiner interprets the keywords as searchable representation elements and phone numbers as contact related portion.

With respect to claim 4, **Othmer** teaches **“the method of claim 3, wherein determining if a searchable representation element is a contact-related portion**

comprises determining if that searchable representation element is at least one of at least a postal code, an email address, a location on a network and a telephone number” as automated speech recognition pre-process system 251 handles word recognition or word spotting tasks. Word recognition can be used to filter out key words. For example, speech recognition techniques can be used to recognize a series of digits that may represent phone numbers, or key words such as days or months and the words around them that may resemble an important date or meeting time. Word spotting may be used to search for key words at any location in an audio file, or at a predetermined location, such as the last twenty seconds (**Othmer** Paragraph 0032). Examiner interprets the keywords as searchable representation elements and phone numbers as contact related portion.

Claims 23 and 26 are essentially the same as claim 4 except they set forth the claimed invention as a system and are rejected for the same reasons as applied hereinabove.

With respect to claim 22, **Othmer** teaches an **information retrieval system, comprising:**

“a database that stores contact information” as figure 1 including database 110.

“a contact information retrieval system that retrieves contact information from the database based on a current context of a user and that unobtrusively

displays the retrieved contact information relative to the user's current context"

as the identifying information may be used to retrieve information regarding the requestor's billing, contact, and transcription request information stored in database 110 (Othmer Paragraph 0040). The called-out information may include common data types such as date and time information, contact information such as name, email, or phone number, or other information. In one embodiment, the called-out information is populated into a user interface and presented to the user together with the transcription (Othmer Paragraph 0087). Figure 1 shows workstations 162, 164, 166 to display the retrieved information.

With respect to claims 24 and 25, Othmer teaches **"the system of claim 22, wherein the contact information retrieval system comprises at least one of: a context monitoring subsystem; an information analysis subsystem; and a contact information display subsystem"** and **"The system of claim 24, wherein the context monitoring subsystem identifies contact information based on the content of the user's current context"** as a requester profile having information corresponding to a requestor's transcription preferences as well as contact and billing information is accessible by the transcription server 120 and stored on database 110 (Othmer Paragraph 0043). The request may be transmitted by anyone and includes audio data transmitted from an audio source (Othmer Paragraph 0024). The identifying information may be used to retrieve information regarding the requestor's billing, contact, and transcription request information stored in database 110 (Othmer

Art Unit: 2166

Paragraph 0040). Examiner interprets contact and billing information as contact related portion and requestor profile and the audio data as user's context and this information is used to retrieve contact information of a transcriber.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 5-19 and 27-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Othmer et al.** (U.S. PG PUB No. 2004/0064317) as applied to claims

Art Unit: 2166

1-4 and 22-26 above in view of **Lamburt et al.** (**Lamburt** hereinafter) (U.S. Patent No. 6,374,241).

With respect to claim 5, **Othmer** teaches the method of claim 3, wherein analyzing the identified contact-related portions comprises:

“comparing each identified contact-related portion of the plurality of searchable representation elements to contact information present in the contact information database” as the transcribers are determined by comparing the transcriber profiles to a transcription instruction file associated with the audio file to be transcribed. However, matching system 256 may determine a matching transcriber to a transcription request with or without a transcription instruction file as long as the system has access to the requestor profile and group profiles associated with the request, supplementary audio file information associated with the request, and transcriber profiles (**Othmer** Paragraph 0055). These lines teach that requestor profiles and transcribers profile are being compared and both of these profiles contain contact information.

“determining, for each identified contact-related portion, if that contact-related portion matches any contact information elements of the contact information database” as a transcriber profile may match half the elements required by a transcription preferences associated with the transcription request (**Othmer** Paragraph 0056).

“assigning a score to each determined match between one of the identified contact-related portions and one of the contact information elements” as for each matched element, the transcriber may receive a positive sub-score. For each non-matched element, the transcriber may receive no sub-score. In another embodiment, the non-matched element may earn the transcriber a negative sub-score (**Othmer Paragraph 0056**).

“determining, based on the assigned scores, for each match between the identified contact-related portions and the contact information elements, zero, one or more contact information elements that are related to the user's context” as scores may be generated for a group of transcribers, and the transcribers may then be considered as a match in an order depending on their score rather than the order the scores are generated (**Othmer Paragraph 0058**).

Othmer teaches the elements of claim 5 as noted above but does not explicitly teaches **“matching contact information elements and assigning scores to contact information elements and identifying contact elements based on assigned scores.”**

However, **Lamburt** discloses updating the associated score if a zip code match between each existing entry and the update entry is determined (**Lamburt Col 1, Lines 65-67**). At step 1008, the procedure "match phone number" is performed to produce a subset of one or more entries of the existing database which match the existing phone number (**Lamburt Col 40, Lines 23-26**). Control proceeds to step 1012 where "derive score" is performed based on the zip code and the name match score (**Lamburt Col 40,**

Art Unit: 2166

Lines 30-32). If the derived score is greater than 50%, control proceeds to step 1034 where a determination is made whether there is only one matching entry in the database for an update record (**Lamburt** Col 40, Lines 39-42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to assign the scores to the contact information in the profile, which would have allowed finding the best matching contact information between the requestor and the transcriber.

Claims 28 and 29 are essentially the same as claim 5 except they set forth the claimed invention as a system and are rejected for the same reasons as applied hereinabove.

With respect to claim 6, **Othmer** teaches “**the method of claim 5, wherein determining, based on the assigned scores, for each match between the identified contact-related portions and the contact information elements, zero, one or more contact information elements that are related to the user's context comprises comparing the assigned scores for each match to a threshold score value**” as the score generated in step 620 is compared to a threshold value in step 630. In one embodiment, the threshold value is designed to eliminate transcribers from consideration whose profile does not match a minimum number of transcription preferences or elements (**Othmer** Paragraph 0057).

Othmer teaches the elements of claim 6 as noted above but does not explicitly teach, **“comparing scores of contact information to a threshold value.”**

However, **Lamburt** discloses **“comparing scores of contact information to a threshold value”** as the associated score if a zip code match between each existing entry and the update entry is determined; determining if there is at least one associated score greater than a predetermined threshold; and if there is only one existing entry in the subset with an associated score greater than the predetermined threshold (**Lamburt** Col 1 Lines 65-67 & Col 2, Lines 1-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt’s** teachings would have allowed **Othmer** to determine equivalents of various entries, assign the scores to the contact information in the profile, and compare the scores to a predetermined threshold, which would have allowed finding the best matching contact information between the requestor and the transcriber.

With respect to claim 7, **Othmer** teaches **“the method of claim 5, wherein assigning a score to each match between the identified contact-related portions and the contact information elements, comprises combining the scores assigned to at least two matches between at least two contact-related portions and at least one related contact information element into a combined score for at least one of the at least two matches”** as the sub-scores from the matched and non-matched

elements are totaled to derive a score for the transcriber (**Othmer** Paragraph 0056).

Examiner interprets combined score as total score.

Othmer teaches the elements of claim 7 as noted above but does not explicitly teach, **"scores of contact information elements."**

However, **Lamburt** discloses **"scores of contact information elements"** as control proceeds to step 1012 where "derive score" is performed based on the zip code and the name match score (**Lamburt** Col 40, Lines 30-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to assign the scores to the contact information in the profile, which would have allowed finding the best matching contact information between the requestor and the transcriber.

With respect to claim 8, **Othmer** teaches **"the method of claim 5, wherein assigning a score to each match between the identified contact-related portions and the contact information elements comprises combining the scores assigned to at least two matches between at least one contact-related portion and at least two related contact information elements into a combined score for at least one of the at least two matches"** as the sub-scores from the matched and non-matched elements are totaled to derive a score for the transcriber (**Othmer** Paragraph 0056). Examiner interprets combined score as total score.

Othmer teaches the elements of claim 8 as noted above but does not explicitly teach, **“scores of contact information elements.”**

However, **Lamburt** discloses **“scores of contact information elements”** as control proceeds to step 1012 where "derive score" is performed based on the zip code and the name match score (**Lamburt** Col 40, Lines 30-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to assign the scores to the contact information in the profile, which would have allowed finding the best matching contact information between the requestor and the transcriber.

With respect to claim 9, **othmer** teaches **“the method of claim 5, where assigning a score to each match between the identified contact-related portions and the contact information elements comprises assigning a combined score to at least one of at least two interrelated matches”** as the sub-scores from the matched and non-matched elements are totaled to derive a score for the transcriber (**Othmer** Paragraph 0056). Examiner interprets combined score as total score.

Othmer teaches the elements of claim 9 as noted above but does not explicitly teach, **“scores of contact information elements.”**

However, **Lamburt** discloses **“scores of contact information elements”** as control proceeds to step 1012 where "derive score" is performed based on the zip code and the name match score (**Lamburt** Col 40, Lines 30-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to assign the scores to the contact information in the profile, which would have allowed finding the best matching contact information between the requestor and the transcriber.

With respect to claim 10, **Othmer** teaches **"the method of claim 5, further comprising ranking the contact information elements based on the scores assigned to the matches for the contact information elements"** as scores may be generated for a group of transcribers, and the transcribers may then be considered as a match in an order depending on their score rather than the order the score are generated (**Othmer** Paragraph 0058). Examiner interprets the order as ranking since the order tells us which elements have the higher score.

Claim 31 is essentially the same as claim 10 except it sets forth the claimed invention as a system and is rejected for the same reasons as applied hereinabove.

With respect to claim 11, **Othmer** teaches **"the method of claim 5, further comprising forming a display list that includes contact information elements corresponding to scores above a defined threshold"** as if the transcriber's score is equal to or greater than the threshold, operation continues to step 660 (**Othmer** Paragraph 0057).

Othmer teaches the elements of claim 11 as noted above but does not explicitly teach **“displaying the list of contact information elements with scores above a threshold value.”**

However, **Lamburt** teaches **“displaying the list of contact information elements with scores above a threshold value”** as the associated score if a zip code match between each existing entry and the update entry is determined; determining if there is at least one associated score greater than a predetermined threshold; and if there is only one existing entry in the subset with an associated score greater than the predetermined threshold (**Lamburt** Col 1 Lines 65-67 & Col 2, Lines 1-3). For example, if a resulting data set includes 10 listings, these listings may be categorized or grouped in accordance with whether or not particular categories are associated with each listing. The information displayed to the user for these 10 listing may be 5 listings included in category A, and 5 listings included in category B (**Lamburt** Col 48, Lines 59-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt’s** teachings would have allowed **Othmer** to display the list of all the elements which are above the predetermined threshold so that user can also decide to select one of the best matching contact information between the requestor and the transcriber.

With respect to claim 12, **Othmer** teaches **“the method of claim 11, wherein forming the display list that includes contact information elements corresponding to scores above the defined threshold further comprises limiting the display list**

to at most n contact information elements having the highest values” as if the transcribes score is equal to or greater than the threshold, operation continues to step 660 (**Othmer** Paragraph 0057). The highest score from the pool of transcribes is then compared to the threshold in step 630 (**Othmer** Paragraph 0058).

Othmer teaches the elements of claim 12 as noted above but does not explicitly teach **“displaying the list of n contact information elements with scores above a threshold value.”**

However, **Lamburt** teaches **“displaying the list of n contact information elements with scores above a threshold value”** as the associated score if a zip code match between each existing entry and the update entry is determined; determining if there is at least one associated score greater than a predetermined threshold; and if there is only one existing entry in the subset with an associated score greater than the predetermined threshold (**Lamburt** Col 1 Lines 65-67 & Col 2, Lines 1-3). For example, if a resulting data set includes 10 listings, these listings may be categorized or grouped in accordance with whether or not particular categories are associated with each listing. The information displayed to the user for these 10 listing may be 5 listings included in category A, and 5 listings included in category B (**Lamburt** Col 48, Lines 59-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt’s** teachings would have allowed **Othmer** to display the list of all the elements which are above the predetermined threshold so that user can also decide to select one of the best matching contact information between the requestor and the transcriber.

With respect to claim 13, **Othmer** teaches “**the method of claim 5, further comprising forming a display list that includes contact information elements corresponding to a given number n of scores having the highest values**” as if the transcribes score is equal to or greater than the threshold, operation continues to step 660 (**Othmer** Paragraph 0057). The highest score from the pool of transcribes is then compared to the threshold in step 630 (**Othmer** Paragraph 0058).

Othmer teaches the elements of claim 13 as noted above but does not explicitly teach “**displaying the list of contact information elements for n number of scores having highest value.**”

However, **Lamburt** teaches “**displaying the list of contact information elements for n number of scores having highest value**” as the associated score if a zip code match between each existing entry and the update entry is determined; determining if there is at least one associated score greater than a predetermined threshold; and if there is only one existing entry in the subset with an associated score greater than the predetermined threshold (**Lamburt** Col 1 Lines 65-67 & Col 2, Lines 1-3). For example, if a resulting data set includes 10 listings, these listings may be categorized or grouped in accordance with whether or not particular categories are associated with each listing. The information displayed to the user for these 10 listing may be 5 listings included in category A, and 5 listings included in category B (**Lamburt** Col 48, Lines 59-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to display the list of all the elements which are above the predetermined threshold so that user can also decide to select one of the best matching contact information between the requestor and the transcriber.

With respect to claim 14, **Othmer** does not explicitly teach **"the method of claim 11, further comprising displaying the display list within the user's context."**

However, **Lamburt** discloses **"the method of claim 11, further comprising displaying the display list within the user's context"** as These lists of key words or terms which may be searchable or retrievable and the corresponding record identifiers as included in the denormalized data store 904 may be stored in a list structure as included in the term-list data store 836 (**Lamburt** Col 13, Lines 49-53). User query information may be used to influence the displays shown to the user by the browser 824. In addition to displaying matching categories or business listings, as depicted in FIG. 44, the information retrieval software 908 can be used to assist in selecting other information to be displayed to the user, based on the nature of the user's query (**Lamburt** Col 60, Lines 62-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to display the list of all the searchable elements so that user can also decide to select the ones he feel are

important in finding the related contact information between the requestor and the transcriber.

Claims 32 and 33 are essentially the same as claims 11-14 except they set forth the claimed invention as a system and are rejected for the same reasons as applied hereinabove.

With respect to claim 15, **Othmer teaches the method of claim 1, wherein monitoring the user's context to identify contact-related portions of the user's context comprises:**

“determining at least one representation of at least one contact information element present in the database” as the identifying information may be used to retrieve information regarding the requestor's billing, contact, and transcription request information stored in database 110 (**Othmer Paragraph 0040**). The called-out information may include common data types such as date and time information, contact information such as name, email, or phone number, or other information. In one embodiment, the called-out information is populated into a user interface and presented to the user together with the transcription (**Othmer Paragraph 0087**).

“determining, for each determined representation, if there is at least one contact-related portion in the user's current context that matches that determined representation” as the transcribers are determined by comparing the transcriber profiles to a transcription instruction file associated with the audio file to be transcribed.

Art Unit: 2166

However, matching system 256 may determine a matching transcriber to a transcription request with or without a transcription instruction file as long as the system has access to the requestor profile and group profiles associated with the request, supplementary audio file information associated with the request, and transcriber profiles (**Othmer** Paragraph 0055). These lines teach that requestor profiles and transcribers profile are being compared and both of these profiles contain contact information.

Othmer teaches the element of claim 15 as noted above but does not explicitly teach, “**matching the contact related portions.**”

However, **Lamburt** teaches, “**matching the contact related portions**” as updating the associated score if a zip code match between each existing entry and the update entry is determined (**Lamburt** Col 1, Lines 65-67). At step 1008, the procedure “match phone number” is performed to produce a subset of one or more entries of the existing database which match the existing phone number (**Lamburt** Col 40, Lines 23-26). Therefore contact information elements in the database are matching the elements entered by user/update entry.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt’s** teachings would have allowed **Othmer** to assign the scores to the contact information in the profile, which would have allowed finding the best matching contact information between the requestor and the transcriber.

With respect to claim 16, **Othmer** teaches **“the method of claim 15, wherein determining at least one representation of at least one contact information element present in the database comprises selecting at least one contact information element as the at least one determined representation”** as the identifying information may be used to retrieve information regarding the requestor's billing, contact, and transcription request information stored in database 110 (**Othmer** Paragraph 0040).

With respect to claim 17, **Othmer** teaches **“the method of claim 16, wherein determining, for each determined representation, if there is at least one contact-related portion in the user's current context that matches that determined representation comprises searching the user's current context for instances of the selected contact information element”** as the identifying information may be used to retrieve information regarding the requestor's billing, contact, and transcription request information stored in database 110 (**Othmer** Paragraph 0040).

Othmer teaches the element of claim 17 as noted above but does not explicitly teaches, **“searching the user's current context for instances of the selected contact information element.”**

However, **Lamburt** teaches **“searching the user's current context for instances of the selected contact information element”** as the terms in the user query and the terms in each of the matching categories, the terms may be weighted or normalized by the number of occurrences of the terms and the number of listings in

Art Unit: 2166

which a term occurs in a step 74 (**Lamburt** Col 63, Lines 57-62). Examiner interprets the multiple occurrences as the instances of the elements.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to determine equivalents of various entries, assign the scores to the contact information in the profile, and compare the scores to a predetermined threshold, which would have allowed finding the best matching contact information between the requestor and the transcriber.

With respect to claim 18, **Othmer** teaches “**the method of claim 15, wherein determining at least one representation of at least one contact information element present in the database comprises generating at least one regular expression from at least one contact information element as the at least one determined representation**” as the database 110 transmits and receives information with transcription server 120. The information may include audio data or audio data segments to be transcribed, supplementary audio file information, transcriptions of audio data or audio segments, transcriber information, requestor information, transcription request information, billing information, transcriber rating and payment information, and other transcription service information (**Othmer** Paragraph 0026). Examiner interprets transmitting from database as sending contact information from the database.

With respect to claim 19, **Othmer** teaches **“the method of claim 15, wherein determining, for each determined representation, if there is at least one contact-related portion in the user’s current context that matches that determined representation comprises querying the user’s current context using the at least one generated regular expression”** as the database 110 transmits and receives information with transcription server 120. The information may include audio data or audio data segments to be transcribed, supplementary audio file information, transcriptions of audio data or audio segments, transcriber information, requestor information, transcription request information, billing information, transcriber rating and payment information, and other transcription service information (**Othmer** Paragraph 0026). Examiner interprets transmitting from database as sending contact information from the database.

Othmer teaches the element of claim 19 as noted above but does not explicitly teaches, **“querying the contact information.”**

However, **Lamburt** teaches, **“querying the contact information”** as the servers 808 through 810, server 1 through server n, respectively, interact with the Primary Database 812 and Secondary Database 814 to perform a data query (**Lamburt** Col 4, Lines 57-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt’s** teachings would have allowed **Othmer** to combine information that may be

Art Unit: 2166

obtained from various data sets producing a resultant data set by querying both the database and the context entered by the user.

With respect to claim 27, **Othmer** does not explicitly teaches **“the system of claim 26, wherein the context monitoring subsystem recognizes the postal address by recognizing a postal code and stores in a memory the recognized postal code and a predetermined amount of data that precedes the postal code.”**

However, **Lamburt** discloses **“the system of claim 26, wherein the context monitoring subsystem recognizes the postal address by recognizing a postal code and stores in a memory the recognized postal code and a predetermined amount of data that precedes the postal code”** as the search is being performed for entries in the existing database which match zip code and the different components of the name field (**Lamburt** Col 42, Lines 52-54). Examiner interprets the different components of the name field as amount of data that precedes the postal code.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to combine information that may be obtained from various data sets producing a resultant data set by querying different name fields of a component.

With respect to claim 30, **Othmer** teaches **“the system of claim 28, wherein the information analysis subsystem assigns a partial score to at least one**

matched one of the personal name, the organization name, the position title, the address, the network location, the email address and the at least one telephone number that partially matches at least one contact information element stored in the database" as a transcriber profile may match half the elements required by a transcription preferences associated with the transcription request. For each matched element, the transcriber may receive a positive sub-score. For each non-matched element, the transcriber may receive no sub-score. In another embodiment, the non-matched element may earn the transcriber a negative sub-score (**Othmer** Paragraph 0056).

With respect to claim 34, **Othmer** teaches **"the system of claim 22, wherein the user is provided with an unobtrusive notification of the retrieved contact information"** as the requestor is sent a notification signal that the transcription is available for viewing or retrieval from the transcription server (**Othmer** Paragraph 0070).

Othmer teaches the elements of claim 34, but does not explicitly teach, **"notifying contact information."**

However, **Lamburt** discloses a step 1008, where the procedure "match phone number" is performed to produce a subset of one or more entries of the existing database which match the existing phone number (**Lamburt** Col 40, Lines 23-26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to display the contact information to

Art Unit: 2166

the user for selection of desired elements, by notifying the user about the contact information that is retrieved.

With respect to claim 35, **Othmer** teaches **“the system of claim 34, wherein the notification allows the user to access more contact information by a single interaction”** as contact and billing information is accessible by the transcription server 120 and stored on database 110 (**Othmer** Paragraph 0043).

Claim 38 is essentially the same as claim 35 except it sets forth the claimed invention as a system and is rejected for the same reasons as applied hereinabove.

With respect to claim 36, **Othmer** teaches **an information retrieval apparatus, comprising:**

“a database containing contact information” as figure 1 with database 110.

“an information gathering device that inputs contact information into the database” as the workstations may consist of a processor, a memory, a monitor, a speaker device, an input device, and a means for establishing a connection to a network (**Othmer** Paragraph 0029). For example, speech recognition techniques can be used to recognize a series of digits that may represent phone numbers, or key words such as days or months and the words around them that may resemble an important date or meeting time (**Othmer** Paragraph 0032). These lines teach that the input device is receiving contact information.

“an information monitoring device that monitors a user's current context to identify potential contact information” as a speech recognition pre-process system 251 handles word recognition or word spotting tasks. Word recognition can be used to filter out key words. For example, speech recognition techniques can be used to recognize a series of digits that may represent phone numbers, or key words such as days or months and the words around them that may resemble an important date or meeting time (**Othmer Paragraph 0036**). Therefore the reference is identifying the contact information from a voice input such as telephone recognition.

“an information analysis device that assigns a score to the identified potential contact information” as for each matched element, the transcriber may receive a positive sub-score. For each non-matched element, the transcriber may receive no sub-score. In another embodiment, the non-matched element may earn the transcriber a negative sub-score (**Othmer Paragraph 0056**).

“a data output device that notifies a user of zero, one or more contacts based on scores associated with the potential contact information” as scores may be generated for a group of transcribers, and the transcribers may then be considered as a match in an order depending on their score rather than the order the scores are generated (**Othmer Paragraph 0058**).

Othmer discloses the elements of claim 36 as noted above but does not explicitly teaches **“scoring of contact information and outputting contact information based on scores.”**

However, **Lamburt** discloses, **"scoring of contact information and outputting contact information based on scores"** as updating the associated score if a zip code match between each existing entry and the update entry is determined (**Lamburt** Col 1, Lines 65-67). At step 1008, the procedure "match phone number" is performed to produce a subset of one or more entries of the existing database which match the existing phone number (**Lamburt** Col 40, Lines 23-26). Control proceeds to step 1012 where "derive score" is performed based on the zip code and the name match score (**Lamburt** Col 40, Lines 30-32). If the derived score is greater than 50%, control proceeds to step 1034 where a determination is made whether there is only one matching entry in the database for an update record (**Lamburt** Col 40, Lines 39-42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Lamburt's** teachings would have allowed **Othmer** to assign the scores to the contact information in the profile, which would have allowed finding the best matching contact information between the requestor and the transcriber.

With respect to claim 37, **Othmer** teaches **"the apparatus of claim 36, wherein the information gathering device is at least one of a workstation, a desktop computer, a laptop computer, a scanner, an audio/video recorder, and a remote station"** as the workstations may consist of a processor, a memory, a monitor, a speaker device, an input device, and a means for establishing a connection to a network (**Othmer** Paragraph 0029).

5. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Othmer et al.** (U.S. PG PUB No. 2004/0064317) as applied to claims 1-4 and 22-26 above in view of **CardReader Inc.** (**CardReader** hereinafter) (NPL “**BIZ CARD READER**” May 18, 2001).

With respect to claim 20, **Othmer** teaches a **method for inputting contact information into a contact information database comprising:**

“**making an audio recording of a contact**” as figure 1 with reference numeral 130, 140, and 154.

“**making a video recording of a contact**” as the audio file may also be a video file with accompanying audio data that can be transcribed (**Othmer** Paragraph 0038).

“**inputting other contact information**” as speech recognition pre-process system 251 handles word recognition or word spotting tasks. Word recognition can be used to filter out key words. For example, speech recognition techniques can be used to recognize a series of digits that may represent phone numbers, or key words such as days or months and the words around them that may resemble an important date or meeting time (**Othmer** Paragraph 0032). Voice input is inputting telephone number which examiner interprets as contact information.

Othmer teaches the elements of claims 20 as noted above but does not explicitly disclose, “**scanning a business card containing contact information elements.**”

Art Unit: 2166

However, **CardReader** discloses, “**scanning a business card containing contact information elements**” as color business card scanner and management system that automatically reads and organizes your business cards. Text information on the card is automatically extracted and stored into their proper fields – name, title, company, address, city, state, zip, country, phone, fax, email, and web (**CardReader** page 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **CardReader’s** teachings would have allowed **Othmer** to easily sort and search data by the use of business card scanner for scanning contact information, which also scans color photos.

Claim 21 is same as claim 4 and is rejected for the same reasons as applied hereinabove.

Conclusion

6. The prior art made of record and not replied upon is considered pertinent to applicant’s disclosure is listed on 892 form.

Contact Information

Art Unit: 2166

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usmaan Saeed whose telephone number is (571)272-4046. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Usmaan Saeed
Patent Examiner
Art Unit: 2166



Leslie Wong
Primary Examiner

US
April 10, 2006